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July 2, 2014

BY ELECTRONIC MAIL AND ECF

Honorable Naomi Reice Buchwald
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: United States v. Rajarengan Rajaratnam, 13 Cr. 211 (NRB)

Dear Judge Buchwald:

We respectfully submit this letter in connection with the Court's ruling regarding the appropriate use of the Clearwire evidence.

Having read the transcript from today's argument, we request that the Court give the following instruction to the jury tomorrow after the close of the defense case and again as part of the general charge:

You may not infer from the evidence regarding Clearwire that Rengan traded on inside information.

You also may not consider the trades in Clearwire as evidence that Rengan conspired to trade on inside information.

(See Tr. 1439–40.) We thank the Court for consideration of this charge.

Respectfully submitted,



Daniel M. Gitner

cc: AUSA Christopher D. Frey (by email)
AUSA Randall W. Jackson (by email)